



**Miami-Dade Commission on Ethics & Public Trust**

**Investigative Report**

**Investigator:** Manuel W. Diaz

<b>Case No. K13-087</b>	<b>Case Name:</b> North Miami CRA, Lesly Prudent	<b><u>Date Open:</u></b> June 6, 2013	<b><u>Date Closed:</u></b> July 11, 2013
<b>Complainant(s):</b> News article see below.	<b>Subject(s):</b> Lesly Prudent		

**Allegation(s):**

Lesly Prudent (Prudent), City of North Miami (NM) Coordinator of the Community Relations Agency (CRA) appeared on a local radio station. An investigation was initiated to determine if Prudent exploited his position as a municipal employee in appearing on the radio station during employment hours.

**Relevant Ordinances:**

Miami Dade County Conflict of Interest and Code of Ethics Ordinance  
Sec 2-11.1(g), Exploitation of official position prohibited.  
“No person included in the terms defined in Subsections (b) (1) through (6) and (b) (13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or her or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.”

**Investigation:**

*Interviews*

**Steven Johnson** (Johnson), NM City Manager.

Johnson was interviewed via telephone.

Johnson is the Executive Director of the NM CRA. He advised that he hired Prudent as the CRA Coordinator. Prudent informed Johnson, when hired, that he hosted a radio program on a local radio station. Johnson initially granted Prudent permission to adjust his work hours to accommodate hours at the station. Johnson later reevaluated the decision and directed Prudent to readjust his programming hours. Prudent now hosts the program during his time off. According to Johnson, Prudent is employed by the NM CRA. Prudent is not employed by the City of NM.

**Steven Zelkowitz** (Zelkowitz) Esq., CRA Attorney, 1221 Brickell Ave Suite 1600, Miami, Florida 33131.

Zelkowitz was interviewed via telephone.

He advised that he and Johnson discussed the several adverse news articles that were critical of Prudent hosting his radio program. Zelkowitz opined that Prudent could continue with the outside employment as long as it did not interfere with his duties as the Coordinator for the NM CRA. Zelkowitz advised that the NM CRA was formed under Chapter 163 of the Florida State Statutes and employees of the CRA are not employees of NM.

**Lesly Prudent (Prudent)**, Coordinator NM CRA

Prudent was contacted via telephone.

He informed Johnson that he had a radio program when he was hired. Johnson initially permitted him to maintain his programming during his lunch hour. Johnson later changed his mind and told him that he would be only authorized to work after the end of his regular work day.

Prudent advised that his salary comes directly from the CRA. His salary is direct deposited so he did not have any checks available. He recommended that the COE contact Aldwyn Thomas the CRA Finance Director, who could verify that Prudent's salary came from the CRA and not NM.

**Aldwyn Thomas** (Thomas), NMCRA Finance Officer

Thomas was contacted via telephone.

Thomas confirmed that the NM CRA funding is independent from NM. He advised that funding is derived from Miami-Dade and the City of NM through TIF funding. He confirmed that the NM CRA banking is independent of NM and all employees of the CRA are paid directly through the CRA.

***Document/Audio/Video Review:***

The Miami Herald - In North Miami, Haitian Radio can be a key to victory, defeat

Dated June 3, 2013. (Copy in file)

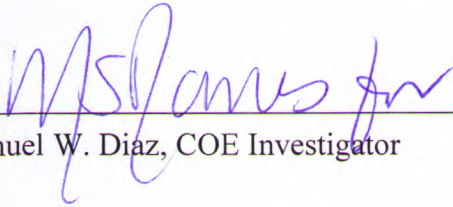
The article provides the question asked in the allegation for the complaint.

Web page for the NM CRA

The Web page advised the reader that the NM CRA was established under Chapter 163 of the Florida Statutes. (Copy in file)

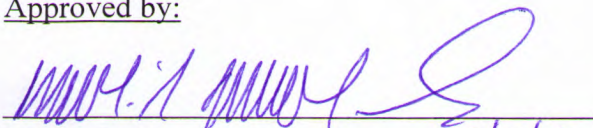
**Conclusions:**

Prudent appears to be an employee of the CRA not of NM, as such, he is covered by applicable State of Florida ethics statutes not the County's ethics code. Should the investigation have yielded evidence of misconduct by Prudent, a complaint could have been filed with the Florida Commission on Ethics. The investigation did not reveal misconduct by Prudent, however. The CRA Attorney confirmed that he had told the CRA's Executive Director that Prudent could continue his outside employment. Accordingly, this case is closed with no further action.

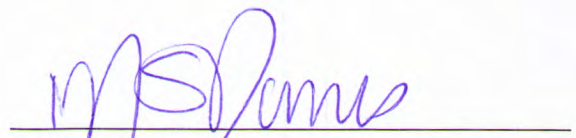


Manuel W. Diaz, COE Investigator

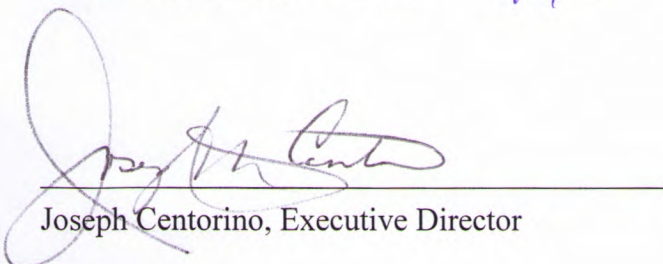
Approved by:

  
7/16/13

Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

7/16/13

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Date